



**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3010332

**Applicant Name:** James Blais of Gary Merlino Construction for Liberty Ridge LLC

**Address of Proposal:** 5033 1<sup>st</sup> Avenue South

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow an outdoor storage facility for fleet and construction vehicles. Project includes demolishing a one-story, 41,000 square foot warehouse. Parking for 129 vehicles to be provided.\*

Note: (\* See "Proposal" below for information on project description change since original application.)

The following approval is required:

**SEPA - Environmental Determination** – (Chapter 25.05, Seattle Municipal Code)

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non exempt grading or demolition or involving another agency with jurisdiction.

**BACKGROUND INFORMATION**

Site and Vicinity Description

The site is located in a General Industrial 2 U85 zone (IG2 U85) between South Hudson and South Dawson Streets and Utah and 1<sup>st</sup> Avenues South in the Duwamish MIC (Manufacturing and Industrial Center). The flat site is classified as *ECA Liquefaction Prone*, similar to the surrounding area. The surrounding area is similarly zoned IG2 and contains a variety of industrial uses.



### Proposal

The applicant proposes to demolish an existing 41,000 square foot single-story warehouse that is located on the south half of the site (fronting on South Dawson Street and Utah and 1<sup>st</sup> Avenues South) and convert this area and the north half of the site (fronting on South Hudson Street and Utah and 1<sup>st</sup> Avenues South) to an outdoor storage facility for construction and fleet vehicles along with 129 vehicle spaces. (\*The original proposal and project description was to demolish the warehouse structure. Establishing the new use of outdoor storage for both the north and south halves of the site was added after that notice. A revised notice of application was subsequently sent.)

### Public Comments

No comments were received during the initial two-week public comment period that ended August 5, 2009 or the subsequent revised application comment period that ended October 28, 2009.

### **ANALYSIS - SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 30, 2009 and subsequently revised and dated October 9, 2009. The information in the checklist, the submitted historic structures assessment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *"Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered.

### Short Term Impacts

#### Construction

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities.

The following temporary or construction-related impacts are expected:

- Decreased air quality due to suspended particulates (dust and asbestos) from demolition and hydrocarbon emissions and greenhouse gas emissions (GHG) from construction vehicles and equipment.

Due to the temporary nature and limited scope of these impacts (hydrocarbon emissions) or the existence of Federal, State and local regulations governing the control of asbestos release, they are not considered significant (SMC 25.05.794) Although not significant, these impacts are adverse and, in some cases, mitigation may be warranted.

### Air

On-site demolition activities are anticipated to generate the dust impacts outlined above. Additionally, the indirect impact of construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of materials themselves will result in increases in carbon dioxide and other greenhouse gas (GHG) emissions that adversely impact air quality and contribute to climate change and global warming. While the above GHG impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

The structure to be demolished was constructed in 1922. Because of its age, it may contain asbestos. No environmental site assessment was submitted with this application.

Puget Sound Clean Air Agency (PSCAA), Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. However, no DPD permit process exists that will ensure PSCAA has been notified of the proposed building demolition and that asbestos may be on the site. Consequently, as a ***Condition of Approval*** the applicant will be required to submit to DPD a copy of the Notice of Intent to Demolish with verification that it has been received and accepted by PSCAA at the time of application for the DPD demolition permit. This condition is imposed pursuant to SEPA authority to mitigate air quality, construction and environmental health impacts, SMC 25.05.675 A, B, and F.

Following the required asbestos abatement procedures during demolition, if necessary, will be assured by conformance with the rules of the above regulating agencies and departments. Consequently, no potential short term adverse impacts to air are anticipated and therefore no air quality mitigation is necessary.

### Long Term Impacts

#### Historic Preservation

The building to be demolished was constructed in 1922. Although it is not designated as a Seattle Landmark or listed on the Washington State Heritage Register or the National Register of Historic Places a historical analysis report was requested due to the building being more than 50 years old.

The historical analysis report, which provided a review of the possible historic significance of this building was submitted to DPD and forwarded to the City's Historic Preservation Officer in the Department of Neighborhoods. The HPO reviewed the material and determined that it was unlikely that this building, due in part to a loss of integrity, would meet the standards for designation as a landmark and therefore a nomination for its consideration as a landmark is not warranted. Consequently, no ***Conditioning*** for Historic Preservation is warranted.

### **DECISION - SEPA**

The responsible official on behalf of the lead agency made this decision after review of a completed environmental checklist and other information on file with the department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

☒ [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2) (C).

☐ [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (C).

### **CONDITIONS - SEPA**

#### *Prior to Building Permit Application*

1. Prior to or at the time of building permit application submit a copy of the Puget Sound Clean Air Agency (PSCAA) Notice of Intent to Demolish with verification that it has been received and accepted by PSCAA.

Signature: \_\_\_\_\_ (signature on file) Date: May 20, 2010  
Art Pederson, Land Use Planner  
Department of Planning and Development

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